

REMARKS:

This paper is herewith filed in response to the Examiner's final Office Action mailed on May 21, 2010 for the above-captioned U.S. Patent Application. This office action is a rejection of claims 31-32, 35-36, 38, 40-41, 49-50, 52, 55-56, 58-60, 62-65, 67-68, 70-71, 73-74, 77, 82-84, 98-102, 105, and 128 of the application.

More specifically, the Examiner has rejected claims 31-32, 35-36, 38, 40-41, 49-50, 52, 55-56, 58-60, 62-65, 67-68, 70-71, 73-74, 77, 82-84, 98-102, 105, and 128 under 35 USC 103(a) as obvious over the combination of Ray (US 6,424,638) with either Keski-Heikkilaet (US 6,882,844) or Vikberg (US 6,925,074) and further with teachings of Ritter (US 6,289,221). The Applicant respectfully traverses the rejection.

Further, the Applicant notes that the Examiner has indicated that claims 61 and 103 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The Applicant thanks the Examiner for this indication of allowance.

Claims 31, 49, 55, 82, and 98 have been amended. Support for the amendments can be found at least on page 14 lines 11-13; page 16, lines 9-12; and page 18, lines 45-8 of the application as filed. No new matter is added.

Although the Applicant does not agree with the rejections, the Applicant submits that in order to facilitate the prosecution of this patent application towards allowance each of the independent claims 31, 49, 55, 82, and 98 have been amended in a somewhat similar fashion. For example, claim 31 now recites:

“An apparatus, comprising: at least one processor; and at least one memory including computer program code, where the at least one memory and the computer program code are configured, with the at least one processor, to cause the apparatus to at least: identify an access point of a first telecommunication

network as being a neighbor cell to a second telecommunication network by transmitting identity information for the access point of the first telecommunication network using a cell identity information structure of the second telecommunication network, wherein the first telecommunication network is a different radio technology than the second telecommunication network and wherein the transmitted identity information comprises a location area code associated with the second telecommunication network; and receive, from a mobile station, monitoring and measurement information associated with different radio technologies of at least the first telecommunication network and the second telecommunication network.”

The Applicant submits that, in accordance with the exemplary embodiments of the invention, a mobile station may provide continuously information regarding different radio technologies, for example information regarding a WLAN and neighbor GSM cells. In accordance with the embodiments, a mobile station in a GSM cell measures GSM neighbors and other radios so as to determine base station identification information regarding cells such as a WLAN cell and/or a GSM cell. Support for the amendments can be found at least on page 14 lines 11-13; page 16, lines 9-12; and page 18, lines 45-8 of the application as filed.

The Applicant submits that none of references cited disclose or suggest at least where claim 31 recites in part:

“receive, from a mobile station, information comprising monitoring and measurement information associated with different radio technologies of at least the first telecommunication network and the second telecommunication network.”

The Applicant submits that in Ray the MS 20 is collecting measurement information only from the GSM base transceiver stations on which it is currently camped, (see col. 3, lines 44-47). However, Ray does not teach that the MS 20 is send information comprising monitoring and measurement information associated with different radio technologies.

According to Vikberg, it is assumed that the mobile terminal Mobile Terminal 1 (MT 1) has previously identified the strongest public mobile radio signal from a neighboring cell. Further, according to Vikberg, the Bluetooth radio resource layer 360 periodically monitors the Bluetooth

signal and also sends a message which is conveyed to the home base station controller (HBSC 105). Then the HBSC 105 evaluates the reported measurements to determine if a handover is required, (col. 12, lines 1-17). However, the Applicant submits that Vikberg fails to disclose an operation where the MT 1 is sending and/or the HBSC 105 is receiving, from the MT 1, monitoring and measurement information associated with different radio technologies.

Further, the Applicant notes that in the Office Action the Examiner asserts that Ritter teaches a mobile system whereby coverage areas are supported by multiple wireless technologies (see page 5 of the Office Action). However, the Applicant submits that Ritter does not teach an operation of receiving, from a mobile station, measurement information, no less receiving monitoring and measurement information associated with different radio technologies of at least the first telecommunication network and the second telecommunication network.

In addition, the Applicant submits that, similar to Ritter, Keski-Heikkilä does not disclose or suggest at least this feature of claim 31.

The Applicant submits that, for at least these reasons, even if the references were somehow combined, which is not agreed to as proper, the proposed combination would still not disclose or suggest claim 31. Thus, the rejection of claim 31 should be removed and the claim allowed.

In addition, the Applicant submits that, for similar reasons, the foregoing amendments to the independent claims 49, 55, 82, and 98 also place these claims in condition for allowance in view of the references cited. Therefore the Examiner is requested to remove the rejections and allow these claims.

Further, the Applicant submits that the dependent claims of the application are similarly allowable for at least the reason of their dependency to the independent claims.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record. Should any

S.N.: 09/770,491
Art Unit: 2617

unresolved issue remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

Respectfully submitted:


John A. Garrity

8/13/2010
Date

Reg. No.: 60,470

Customer No.: 29683

HARRINGTON & SMITH ATTORNEYS AT LAW, LLC

4 Research Drive

Shelton, CT 06484-6212

Telephone: (203)925-9400

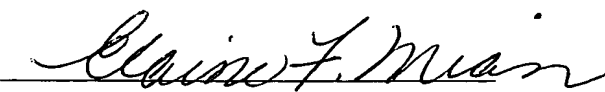
Facsimile: (203)944-0245

email: jgarrity@hspatent.com

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. BOX 1450, Alexandria, VA 22313-1450.

8-13-2010
Date


Name of Person Making Deposit